

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John A. Hession et al.
Serial No. : 10/648,974
Filed : August 27, 2003

Art Unit : 3727
Examiner : Lien M. Ngo
Confirmation No.: 4146
Notice of Allowance Date: January 21, 2005

Title : DRINKING CONTAINER

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Applicants recognize that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicants do not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicants do not concede that all of the identified limitations are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, the claims may be patentable for other reasons. In addition, the allowed dependent claims are allowable on their own merits, on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4/20/2005

Date of Deposit

Allison M. Deverman Vietor
Signature

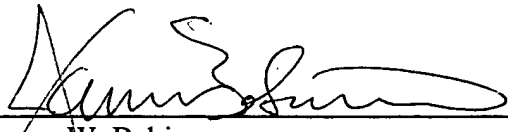
Allison Deverman Vietor
Typed or Printed Name of Person Signing Certificate

Applicant : John A. Hession et al.
Serial No. : 10/648,974
Filed : August 27, 2003
Page : 2 of 2

Attorney's Docket No.: 00315-413001 / Flexible Spout
Drinking Valve

Respectfully submitted,

Date: April 20, 2005



James W. Babineau
Reg. No. 42,276

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21071892.doc